## UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF TEXAS DALLAS DIVISION

VICTOR MANUEL ESTRADA,	)	
	)	CIVIL ACTION NO.
Petitioner,	)	
	)	3:04-CV-1394-G
VS.	)	
	)	CRIMINAL ACTION NO.
UNITED STATES OF AMERICA,	)	3:01-CR-200-G
	)	ECF
Respondent.	)	

## <u>ORDER</u>

After reviewing all relevant matters of record in this case, including the report and recommendation of the United States Magistrate Judge, and any objections thereto, in accordance with 28 U.S.C.  $\S$  636(b)(1), the undersigned district judge is of the opinion that the findings and conclusions of the Magistrate Judge are correct and they are accepted as the findings and conclusions of the court.

For the reasons stated in the report and recommendation of the United States Magistrate Judge, the court **DENIES** petitioner's motion to find excusable neglect (submitted within doc. 101) that has been construed as a request for an extension of

time to file objections to the April 27, 2007 recommendation entered in this case or to file a notice of appeal.

SO ORDERED.

September 27, 2007.

A. JOE FISH CHIEF JUDGE